

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MICHAEL JABRO,

Plaintiff,

CASE NO. 08-11893

HON. LAWRENCE P. ZATKOFF

v.

CITY OF ALLEN PARK,
DANIELE CERRONI, and
ANN CRONIN,

Defendants.

ORDER DISMISSING PLAINTIFF'S STATE-LAW CLAIMS

Plaintiff filed his Complaint on May 5, 2008. Plaintiff's Complaint contains the following four counts:

Count I	Gross Negligence, Intentional, Willful and Wanton Misconduct;
Count II	Violation of Civil Rights (Excessive Use of Force);
Count III	Assault and Battery; and
Count IV	Deprivation of Civil Rights Against Defendant City of Allen Park.

The Court has subject-matter jurisdiction over Counts II and IV because they arise under federal law. 28 U.S.C. § 1331. Counts I and III, however, are based on state law. Although the Court has supplemental jurisdiction over state-law claims pursuant to 28 U.S.C. § 1367(a), the Court may decline to exercise supplemental jurisdiction if there are "compelling reasons for declining jurisdiction." *Id.* § 1367(c)(4). The Court declines to exercise supplemental jurisdiction over Plaintiff's state-law claims in this matter. The Court finds that the contemporaneous presentation of Plaintiff's parallel state claims for relief will result in the undue confusion of the jury. *See id.*;

see also Padilla v. City of Saginaw, 867 F. Supp. 1309, 1315 (E.D. Mich. 1994).

Accordingly, IT IS ORDERED that Plaintiff's state-law claims (Counts I and III) are hereby DISMISSED without prejudice. The Court retains jurisdiction over Plaintiff's federal claims (Counts II and IV).

IT IS SO ORDERED.

s/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: May 12, 2008

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on May 12, 2008.

s/Marie E. Verlinde
Case Manager
(810) 984-3290